

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DONALD CODY TARBELL,

Case No. 19-CV-1040 (NEB/DTS)

Petitioner,

v.

ORDER ACCEPTING REPORT AND
RECOMMENDATION

VICKI JANSSEN,

Respondent.

The Court has received the September 30, 2019 Report and Recommendation of United States Magistrate Judge David T. Schultz. [ECF No. 27.] No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation [ECF No. 27] is ACCEPTED;
2. The Petition for Writ of Habeas Corpus [ECF No. 1] is DENIED;
3. The Motion for Default Judgment [ECF No. 15] is DENIED;
3. The action is DISMISSED WITH PREJUDICE; and
4. No certificate of appealability be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 2, 2019

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge